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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/585,706	07/10/2006	Satoshi Ihori	082418-000700US	4320

20350 7590 12/11/2007

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EXAMINER	
LIM, SENG HENG	
ART UNIT	**PAPER NUMBER**
3714	

MAIL DATE	DELIVERY MODE
12/11/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/585,706	IHORI ET AL.	
	Examiner	Art Unit	
	Seng H. Lim	3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *July 10, 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-8* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-8* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☒ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Nakayama (US 2003/0139209).

Nakayama discloses a message output device, comprising: a battle control unit (Fig. 1: 12) which controls a battle between characters belonging to opposing friend and enemy sides in a virtual space based on a predetermined instruction input [0010]; a message storage unit (Fig. 1: 13) which stores a plurality of messages matching winning and losing statuses of the friend and enemy sides; a winning and losing status detection unit [0020,0073] which detects winning and losing statuses of the friend and enemy sides which change in accordance with progress of the battle controlled, at each predetermined timing; a message acquisition unit [0078] which acquires a message matching the detected winning and losing statuses; and a message output unit which outputs the acquired message (Fig. 1: 10a, 10b).

Claims 2-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Nakayama (US 2003/0139209).

Regarding claim 2. Nakayama discloses a message output device, comprising: a battle control unit (Fig. 1: 12) which controls a battle between characters belonging to opposing friend and enemy sides in a virtual space based on a predetermined instruction input [0010]; a message storage unit (Fig. 1: 13) which stores a plurality of main messages matching progress statuses of the battle, and a plurality of sub messages matching winning and losing statuses of the friend and enemy sides [0028,

0029]; a main message acquisition unit which acquires a main massage specified in accordance with progress of the battle controlled [0068]; a sub message acquisition unit which detects winning and losing statuses of the friend and enemy sides which change in accordance with the progress of the battle controlled at each predetermined timing, and acquires an arbitrary sub message matching the detected winning and losing statuses [0069]; and a message output unit which outputs the acquired main message and sub message based on a predetermined condition (Fig. 1: 10a, 10b).

Regarding claim 3. In a case where the main message and the sub message are acquired at a same time, said message output unit inherently outputs the main message preferentially.

Regarding claim 4. A priority order is set for each main message and each sub message; and said message output unit outputs the acquired main message and sub message in an order based on the priority orders (Fig. 6 & 7).

Regarding claim 5. A life duration time is set at least for each sub message; and said message output device further comprises a message deletion unit which deletes any sub message whose life duration time has passed among the sub messages acquired [0065, 0070].

Claim 6 is rejected under 35 U.S.C. 102(b) as being anticipated by Nakayama (US 2003/0139209).

Nakayama discloses a message control method utilizing a message storage unit (Fig. 1: 13), where said message storage unit stores a plurality of main messages matching progress statuses of a battle (Fig. 6), and a plurality of sub messages matching winning and losing statuses of friend and enemy sides (Fig. 7), said method comprising: a battle controlling step of controlling a battle between characters belonging to opposing friend and enemy sides in a virtual space based on a predetermined instruction input (Fig. 1: 12); a main message acquiring step of acquiring a main message specified in accordance with progress of the battle controlled [0068]; a sub message acquiring step of detecting winning and losing statuses of the battle which

change in accordance with the progress of the battle controlled at each predetermined timing, and acquiring an arbitrary sub message matching the detected winning and losing statuses [0069]; and a message outputting step of outputting the acquired main message and sub message based on a predetermined condition [0065].

Claim 7 is rejected under 35 U.S.C. 102(b) as being anticipated by Nakayama (US 2003/0139209).

Nakayama discloses a program for controlling a computer to function as: a battle control unit which controls a battle between characters belonging to opposing friend and enemy sides in a virtual space based on a predetermined instruction input [0009]; a message storage unit (Fig. 1: 13) which stores a plurality of main messages matching progress statuses of the battle, and a plurality of sub messages matching winning and losing statuses of the friend and enemy sides [0028, 0029]; a main message acquisition unit which acquires a main massage specified in accordance with progress of the battle controlled [0068]; a sub message acquisition unit which detects winning and losing statuses of the friend and enemy sides which change in accordance with the progress of the battle controlled at each predetermined timing, and acquires an arbitrary sub message matching the detected winning and losing statuses [0069]; and a message output unit which outputs the acquired main message and sub message based on a predetermined condition (Fig. 1: 10a, 10b).

Claim 8 is rejected under 35 U.S.C. 102(b) as being anticipated by Nakayama (US 2003/0139209).

Nakayama discloses a computer-readable information recording medium storing a program for controlling a computer to function [0019] as: a battle control unit which controls a battle between characters belonging to opposing friend and enemy sides in a virtual space based on a predetermined instruction input [0009]; a message storage unit (Fig. 1: 13) which stores a plurality of main messages matching progress statuses of the battle, and a plurality of sub messages matching winning and losing statuses of the

friend and enemy sides [0028, 0029]; a main message acquisition unit which acquires a main massage specified in accordance with progress of the battle controlled [0068]; a sub message acquisition unit which detects winning and losing statuses of the friend and enemy sides which change in accordance with the progress of the battle controlled at each predetermined timing, and acquires an arbitrary sub message matching the detected winning and losing statuses[0069-0070]; and a message output unit which outputs the acquired main message and sub message based on a predetermined condition. (Fig. 1: 10a, 10b).

Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Seng H. Lim whose telephone number is 571-270-3301. The examiner can normally be reached on 8:30-6:00, Monday-Friday, alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xuan Thai can be reached on 571-272-7147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SHL

December 4, 2007

XUAN M. THAI
SUPERVISORY PATENT EXAMINER